

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

THE BOARD OF MANAGERS OF THE OTIC
PROFESSIONAL CONDOMINIUM, ON
BEHALF OF ALL OF ITS UNIT OWNERS,

Plaintiff,

-against-

DEMOCRATIC REPUBLIC OF SOMALIA,

Defendant.


Case No. 08 CV 01658

AFFIDAVIT OF CELESTE INGALLS

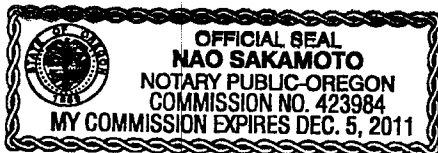
I declare that I, Celeste Ingalls, am a resident of Oregon, citizen of the United States, over the age of twenty-one, not a party nor an attorney for any party in this action, and state the following:

1. I am employed by Alan H. Crowe & Associates, Inc. dba Crowe Foreign Services, 1020 SW Taylor Street, Suite 240, Portland, Oregon 97205, and I have specialized in the service of civil process in foreign countries for more than 12 years.
2. Somalia is not a signatory to any treaty, convention or multilateral agreement for the service of civil process; and
3. In accordance with the Foreign Sovereign Immunities Act (FSIA), under Title 28 USCC, §1608 and federal regulations at 22 CFR 93, service upon a Foreign Sovereign State must be performed in a hierarchical manner; and
4. Due to the inapplicability of the first 3 methods of service in Somalia (mutual agreement, treaty or convention, registered mail), service must be effected via method 4 (§1608(a)(4)), which is the prescribed diplomatic means through the United States Department of State, Office of Policy Review and Inter-Agency Liaison; and
5. On May 22, 2008, I did forward to the Office of Policy Review and Inter-Agency Liaison at the United States Department of State, the requisite FSIA Notice of Suit, with attachment, Notice of Pendency, Legal Description, Civil Cover Sheet, Summons in a Civil Action Verified Complaint, with Exhibits, and Somali translations of all, for formal service upon the **Democratic Republic of Somalia**; and
6. There is no obligatory time frame for the United States Department of State to effect the procedures required in method 4 of the FSIA service procedures; and

7. The Office of Policy Review and Inter-Agency Liaison at the United States Department of State is responsible for completing service under Title 28, §1608(a)(4), and notifying the Clerk of Court that service has been completed; and
8. It has been my experience that the diplomatic process of service under Title 28, §1608(a)(4), usually takes an average of between one and 4 months to complete; and
9. As of today, June 20, 2008, the Office of Policy Review and Inter-Agency Liaison at the United States Department of State has indicated that due to the deterioration of the diplomatic relationship between the Democratic Republic of Somalia and the United States, and the lack of United States consular representation in Somalia, the procedures necessary to successfully effect the aforementioned service upon the **Democratic Republic of Somalia** are currently being determined by the legal department for the United States Department of State and it is uncertain how long this process will take.



SUBSCRIBED AND SWORN to before me this 20th day of June 2008.





Notary Public for Oregon